# EXHIBIT C

One or more version of ColorQuick's **magSend** system<sup>1</sup> anticipates and/or renders obvious, alone or in combination with other prior art identified in Defendants' Invalidity Contentions, one or more asserted claims of the '149 patent. On information and belief, a version of the magSend system was known, used, offer for sale, or sold, as early as February 24, 2001 and more than one year prior to the filing date of the '149 patent.<sup>2</sup> These invalidity contentions are not an admission by Defendants that the accused methods and articles of manufacture, including any current or past versions of such methods, systems, and/or articles of manufacture, are covered by, or infringe, these claims.

'149 Patent Claims	magSend
1. An automated computer-implemented method of preparing production data for a print job, the production data including an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file, the method comprising:	magSend discloses an automated method for preparing production data for a print job, wherein the production data comprises a stored PDL file:  Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send PDF or Postscript file of their ad to the publication with absolute certainty that it will print correctly. (CQ 005129.)  Once approved, the publication is sent a high-resolution file in a standard format (PDF-X1, EPS, TIFF) of their choice. (Id.)  The new service automates the preparation of advertisement material for submission to publishers, completely eliminating the need for expensive film. (Id.)

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<sup>&</sup>lt;sup>1</sup> The magSend system is described in a press release dated March 5, 2001 entitled, "magSend.com to Debut at Seybold Seminars Boston 2001." *See* CQ 005129. On information and belief, additional undated documents in ColorQuick's production also describe functionality that may have existed in the magSend product more than one year prior to the filing date of the '149 patent. Defendants reserve their right to supplement these disclosures with additional information determined through discovery.

<sup>&</sup>lt;sup>2</sup> See Declaration of Richard Weissman In Support of Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment at ¶ 7, Richard Weissman v. Transcontinental Printing U.S.A., Inc., Civ. Act. No. 01:CV-6245 (E.D. Penn.)(filed Apr. 4, 2002) ("Weissman Decl.")("During the period February 24, 2001 to February 23, 2002, ColorQuick, LLC had four customers for its MagSend software.").

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	Our workflow system automated the prepress functions needed to produce a press-ready digital ad, including preflighting, RIPing, trapping, resizing, and proofing, as well as high resolution digital ad delivery. (CQ 000124.)
	The magSend system accepts PostScript and PDF files only. This means that the ad you create using the program of your choice must be printed to disk using an appropriate print driver and PPD (PostScript Printer Description file used by many desktop publishing applications). (CQ 000127.)
	See also CQ 000005; CQ000007; CQ000134-135; CQ000155; Weissman Decl. at ¶ 6.
(a) creating a still image proxy of the PDL image file;	magSend discloses creating a still image proxy (e.g., a soft proof) from the PDL image file:
	Within an hour, the advertiser <u>receives a color-calibrated</u> <u>soft-proof for inspection</u> . Once approved, the publication is sent a high-resolution file in a standard format (PDF-X1, EPS, TIFF) of their choice. (CQ 005129 (emphasis added).)
	Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send a PDF or Postscript file of their ad to the publication with absolute certainty that it will print correctly. This is accomplished by checking the submitted ad against the publication's specifications for size, ink coverage, and image resolution. <u>If it does not meet the publication's quality standards, the</u>
	advertiser is notified in real-time and suggestions are
	made to correct the problem. For instance, if the

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	submitted ad does not fit into the space reserved in the publication, a resize option will be offered to the advertiser. ( <i>Id.</i> )
	The ColorQuick workflow creates value for both the advertiser and the publisher. The advertiser gets immediate feedback regarding the suitability of his digital ad for inclusion in his target publication, avoid the cost of film. ( <i>Id.</i> (emphasis added).)
	See also CQ 000136-137; CQ 000007; CQ 000017-19.
	In addition, PCT Application WO 00/70436 by Chase et al. ("Chase '436") discloses preparing production data for a print job, wherein the production data comprises creating a still image proxy of the PDL image file. See Chase '436 Chart, Claim 1.
	A person of ordinary skill in the art would have been motivated to combine magSend with Chase '436 based on the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. An exemplary motivation for combining these references is found in Chase '436's teaching of a similar interactive image display system:
	The present invention is directed towards an interactive image display system for displaying a printed article as it will appear when printed (subject to limitations of a display monitor). It includes a user interface component, to accept information from a user for producing the printed article, and to provide a graphic image representing the printed article for display to the user; a graphic layout component, to process the information and produce a graphic description file, which is usable for a batch printing
	process; and an image producing component, to process the

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	graphic description file and produce the graphic image. The user interface component maintains the information from the user, allowing the user to modify a part of the information in order to view changes in the displayed printed article. The user can modify any of the information and layout, including change font sizes by specifying a percentage increase or decrease of a certain font. This maintained information is also used for producing and displaying a different printed article, and also for ultimately preparing and running the print job for the user. (Chase '436, 2:27-3:6.)
	The output Postscript file 58 for display to the user on the monitor 22 is processed by a Postscript to graphic converter 60. This Postscript to graphic converter 60 converts the Postscript file to a format which may be sent to and displayed on the monitor 22. In the illustrative embodiment, the Postscript file 58 is converted into a GIF (Graphics Interchange Format) file, although other formats such as JPEG or TIFF can also be produced. In the illustrative embodiment, the postscript to graphic converter 60 is a program called Image Alchemy which converts the Postscript file into a GIF file 62. (Chase '436, 7:5-11; see also Weber '865, 15:42-45 ("One way to do perform these conversions is to use such software as: Bitstream's Web Fonts for font conversions; the Alchemist (Image Alchemy) for conversions between different image graphics formats").)
	In addition, U.S. Patent No. 6,850,248 to Crosby et al. ("Crosby '248") discloses preparing production data for a print job, wherein the production data includes creating a still image proxy

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	of the PDL image file. See Crosby '248 Chart, Claim 1.  A person of ordinary skill in the art would have been motivated to combine magSend with Crosby '248 based on the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. An exemplary motivation for combining these references is found in Crosby '248's suggestion of using the disclosed distributed imaging system in various e-commerce applications, including those for incorporating photos into personalized products:
	The capability for linking an edit list(s) from a low resolution proxy resultant image provides substantial advantages for e-commerce applications. For example, photo content providers can distribute lower-resolution images for free via the Web or a CD that contain references back to the original high-resolution digital negative (s) that can reside either on a Web site, CD media, or other removable media. Photo Web sharing sites can also use this invention to enable users to link photos, or photo greeting cards (and other compositions such as multi-page albums) to the high resolution image data and an optional "script" within the edit list for rendering of the photo (or card or album) at a higher-resolution. (Crosby '248, 7:55-67.)
	It should also be noted, this is not limited to greeting cards, but could also be applied to the creation and distribution of albums, calendars, and virtually any other creation that involves incorporation of photographs or other image data into a composition. (Crosby '248, 9:37-41.)

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	In addition, U.S. Patent No. 7,042,583 to Wilkins et al. ("Wilkins '583") discloses preparing production data for a print job, wherein the production data includes creating a still image proxy of the PDL image file. See Wilkins '583 Chart, Claim 1.
	A person of ordinary skill in the art would have been motivated to combine magSend with Wilkins '583 based on the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. An exemplary motivation for combining these references is found in Wilkins '583's suggestion of using the disclosed distributed imaging system in various e-commerce applications, including those for incorporating photos into personalized products:
	The capability for linking an edit list(s) from a low resolution proxy resultant image provides substantial advantages for e-commerce applications. For example, photo content providers can distribute lower-resolution images for free via the Web or a CD that contain references back to the original high-resolution digital negative (s) that can reside either on a Web site, CD media, or other removable media. Photo Web sharing sites can also use this invention to enable users to link photos, or photo greeting cards (and other compositions such as multi-page albums) to the high-resolution image data and an optional "script" within the edit list for rendering of the photo (or card or album) at a higher resolution. (Wilkins '583, 7:15-27.)
	In addition, James E. Porter, "Why We Still Need OPI" (GATFWorld Nov./Dec. 1999) ("Porter") discloses preparing production data for a print job, wherein the production data

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	comprises creating a still image proxy of the PDL image file. See Porter Chart, Claim 1.
	A person of ordinary skill in the art would have been motivated to combine magSend with Porter based on the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. An exemplary motivation for combining these references is found in U.S. Patent No. 6,650,433 to Keane et al. ("Keane '433") and U.S. Patent No. 6,674,539 to Serra et al. ("Serra '539"), which disclose the use of OPI techniques in conjunction with electronic printing systems similar to that of magSend:
	So that the website studio can be quickly downloaded by the customer, in most implementations the graphic elements, e.g., fonts, backgrounds and logos, used in the website studio are stored in a library in the network storage 22, a copy of which is stored at the printing firm information system 29, as will be discussed below. Thus, a graphic element need only be downloaded by the web server to the browser when it is selected by the customer during the design process. The XML file that results from the design process (the customer's print job) will reference the appropriate information in the centrally stored library. The library is replicated at the printing firms, so that the graphic elements can be inserted during RIPing using OPI (Open Prepress Interface) techniques. The library can be distributed periodically using a CD-ROM publication or other distribution approach so that all parties to the system are working from the same library. (Keane '433, 13:11-27.)

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	In addition, the printing ticket also includes the image in the lower resolution. If the lower resolution image has been customized (i.e., modified by the user at the user terminal 13b for printing), the customized image is included in the print job ticket. In one embodiment, the print job ticket is described in a PostScript page-description language. In a further embodiment, the printing job ticket is generated using the Open Pre-Press Interface (OPI) software from Adobe Systems, Inc. of San Jose, Calif. The OPI software is an extension of the PostScript language that enables users to design pages with low resolution images and then to replace those images with their high resolution versions. (Serra '539, 5:29-35; see also Serra '539, 7:7-54.)
(b) electronically manipulating an image display of the still image proxy and recording information about the manipulations; and	magSend does not express disclose electronically manipulating an image display of the still image proxy and recording information about the manipulations. However, magSend does teach manipulation (e.g. resizing) of an image to fit into a predefined template:
	Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send a PDF or Postscript file of their ad to the publication with absolute certainty that it will print correctly. This is accomplished by checking the submitted ad against the publication's specifications for size, ink coverage, and image resolution. If it does not meet the publication's quality standards, the advertiser is notified in real-time and suggestions are made to correct the problem. For instance, if the submitted ad does not fit into the space reserved in the publication, a resize option will be offered to the advertiser. (CQ 005129)

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147 I atent Claims	(emphasis added).)  In addition, Chase '436 discloses electronically manipulating the image display of the proxy and recording information about the manipulations. See Chase '436 Chart, Claim 1(b).  In addition, Porter discloses electronically manipulating the image display of the still image proxy and recording information about the manipulations. See Porter Chart, Claim 1(b).  In addition, Crosby '248 discloses manipulating the low-resolution proxy image and recording information about the manipulations in an "edit list." See Crosby '248 Chart, Claim 1(b).  In addition, Wilkins '583 discloses manipulating the low-resolution proxy image and recording information about the
(c) using the information about the manipulations to revise the PDL image file so as to match the PDL image file to the manipulations made to the image display of the still image proxy.	manipulations in an "edit list." See Wilkins '583 Chart, Claim 1(b).  magSend discloses using a review and approval process to ensure that information about manipulations to match a PDL image file to the manipulations made to the image display prior to printing a print job:  Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send a PDF or Postscript file of their ad to the publication with absolute certainty that it will print correctly. (CQ 005129.)  Once approved, the publication is sent a high-resolution file in a standard format (PDF-X1, EPS, TIFF) of their

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	choice. (Id.)
	The new service automates the preparation of advertisement material for submission to publishers, completely eliminating the need for expensive film. ( <i>Id.</i> )
	Our workflow system automated the prepress functions needed to produce a press-ready digital ad, including preflighting, RIPing, trapping, resizing, and proofing, as well as high resolution digital ad delivery. (CQ 000124.)
	In addition, Chase '436 discloses using information about manipulations to revise the PDL image file. See Chase '436 Chart, Claim $1(c)$ .
	In addition, Porter discloses using information about manipulations to revise a PDL image file. See Porter Chart, Claim $1(c)$ .
	In addition, Crosby '248 discloses using information about manipulations, captured in an "edit list," to revise an original file (e.g., a PDL file) to match the original file to the manipulations made to the image display of the low-resolution proxy image. See Crosby '248 Claim Chart, Claim 1(c).
	In addition, Wilkins '583 discloses using information about manipulations, captured in an "edit list," to revise a high-resolution digital negative (e.g., a PDL file) to match the digital negative to the manipulations made to the image display of the low-resolution proxy image. See Wilkins '583 Claim Chart, Claim 1(c).

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2. The method of claim 1 wherein the production data further comprises a predetermined area in which the electronic document must fit, the method further comprising:	See claim 1.
(d) creating a static template that defines the predetermined area and displaying the image display of the still image proxy in association with the template, and	magSend discloses that the production data comprises a predetermined area in which the electronic document must fit:  The publisher benefits from rigorous "preflight for purpose" and speed of the system. By processing ads into a standard file type that meets the publication's production requirement every time, costly, labor-intensive preflight and prepress work is avoided. The publisher can simply incorporate the supplied digital ad into their work. (CQ 005129 (emphasis added).)  U.S. Patent No. 7,016,865 (incorporating by reference U.S. Patent No. 7,216,092) to Weber et al. ("Weber") discloses production data comprising a predetermined area in which the electronic document must fit. See Weber Chart, Claim 2.  A person of ordinary skill in the art would have been motivated to combine magSend with Weber based on the nature of the problem to be solved, the teachings of the prior art, and the knowledge of persons of ordinary skill in the art. An exemplary motivation for combining these references is found in magSend's teaching of a remote user modifying a image to be transmitted over a network, a detailed implementation of which is disclosed in Weber:  Incorporating patent-pending elements of ColorQuick's
	Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send a PDF or Postscript file of their ad to the publication with absolute certainty that it will

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	print correctly. This is accomplished by checking the submitted ad against the publication's specifications for size, ink coverage, and image resolution. If it does not meet the publication's quality standards, the advertiser is notified in real-time and suggestions are made to correct the problem. For instance, if the submitted ad does not fit into the space reserved in the publication, a resize option will be offered to the advertiser. (CQ 005129 (emphasis added).)  The web site 130 depicted in FIG. 1 is designed to accommodate visitors wanting to design and purchase personalized versions of products, such as T-shirts, mugs, business cards, and the like. As will be discussed in more detail below, the web site 130 provides visitors with the ability to browse and search over a wide variety of products for the purpose of selecting one or more products to personalize and purchase. The web site 130 further provides visitors with the ability to browse and search over a variety of digital images and text for incorporation within the product selected for personalization. The web site 130 further provides visitors with an interface that allows a visitor to personalize a wide variety of design components (e.g., the typestyle, color, and location of added text) for the product selected. (Weber '092, 6:20-34.)
step (b) further comprising electronically manipulating the image display of the still image proxy in relation to the template and recording information about the manipulations in relation to the template,	Weber discloses recording information about manipulations of the image display in relation to the template. See Weber Chart, Claims 1(b) and 2.

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and step (c) further comprising using the information about the manipulations to revise the PDL image file so as to match the PDL image file to the manipulations made to the image display of the still image proxy in relation to the template.	Weber discloses using information about the manipulations to match a PDL image to the manipulations made to the image display of the proxy in relation to the template. See Weber Chart, Claims 1(c) and 2.
3. The method of claim 2 further comprising:	
(d) inserting the still image proxy and the template into a browser-compatible application program that allows for electronic manipulation of the image display of the still image proxy with respect to the template within a browser.	Weber discloses a browser-compatible application program that allows for electronic manipulation of the image display. See Weber Chart, Claim 3.
4. The method of claim 3 wherein step (a), (c) and (d) occur at a central site, and step (b) occurs at a remote site, the method further comprising:	Weber discloses that steps (a), (c), and (d) occur at a central site and step (b) occurs at a remote site. See Weber Chart, Claim 4.
(e) using a public or private network to communicate the browser-inserted still image proxy and the template from the central site to the remote site for manipulation at the remote site, and using a public or private network to communicate the information about the manipulations back to the central site for use in step (c).	MagSend discloses a method for remotely processing image files over the Internet:  Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send a PDF or Postscript file of their ad to the publication with absolute certainty that it will print correctly. This is accomplished by checking the submitted ad against the publication's specifications for size, ink coverage, and image resolution. If it does not meet the publication's quality standards, the advertiser is notified in real-time and suggestions are made to correct the problem. For instance, if the submitted ad does not fit into the space reserved in the publication, a resize option will be offered to the advertiser. (CQ 005129 (emphasis

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	added).)
	See also CQ 000118-000149.
	In addition, Weber discloses that the central site and remote site communicate over a network. See Weber Chart, Claim 4.
5. The method of claim 4 wherein the network is a public network, and the public network is the Internet.	MagSend discloses a method for remotely processing image files over the Internet:
	Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send a PDF or Postscript file of their ad to the publication with absolute certainty that it will print correctly. This is accomplished by checking the submitted ad against the publication's specifications for size, ink coverage, and image resolution. If it does not meet the publication's quality standards, the advertiser is notified in real-time and suggestions are made to correct the problem. For instance, if the submitted ad does not fit into the space reserved in the publication, a resize option will be offered to the advertiser. (CQ 005129.)  See also CQ 000118-000149.  In addition, Weber discloses that the central site and remote site communicate over the Internet. See Weber Chart, Claim 5.
7. The method of claim 2 wherein step (a) further comprises dynamically creating the static template to represent the predetermined area that the electronic document must fit in a layout of a physical printed document.	Weber discloses that the template represents a fixed, predetermined area that the electronic document must fit in a layout of a physical printed document. See Weber Chart, Claim 7.
9. The method of claim 2 wherein the manipulations include a	MagSend discloses a method wherein the manipulations include a

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change in scaling percentage.	change in scaling percentage:
	Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send a PDF or Postscript file of their ad to the publication with absolute certainty that it will print correctly. This is accomplished by checking the submitted ad against the publication's specifications for size, ink coverage, and image resolution. If it does not meet the publication's quality standards, the advertiser is notified in real-time and suggestions are made to correct the problem. For instance, if the submitted ad does not fit into the space reserved in the publication, a resize option will be offered to the advertiser. (CQ 005129 (emphasis added).)  See also CQ 000118-000149.  In addition, Weber discloses that manipulations include a change in scaling percentage. See Weber Chart, Claim 9.
10. The method of claim 2 wherein the manipulations include alignment changes of the image display of the still image proxy in relation to the template.	Weber discloses that manipulations include alignment changes in relation to the template. See Weber Chart, Claim 10.
11. The method of claim 1 wherein the PDL image file is a Postscript or PDF file.	magSend discloses that the PDL image file is a Postscript or PDF file:  Incorporating patent-pending elements of ColorQuick's Internet-enables prepress workflow, the magSend service enables advertisers to send a PDF or Postscript file of their ad to the publication with absolute certainty that it will print correctly. (CQ 005129 (emphasis added).)

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	Once approved, the publication is sent a high-resolution file in a standard format (PDF-X1, EPS, TIFF) of their choice. ( <i>Id.</i> )
12. The method of claim 1 wherein the still image proxy is a JPEG, GIF, or PNG file.	Chase '436 discloses that the still image proxy is a JPEG, GIF, or PNG file. See Chase '436 Chart, Claim 12.
	In addition, Porter discloses that the still image proxy is a JPEG, GIF, or PNG file. See Porter Chart, Claim 12.
	In addition, Crosby '248 discloses that the still image proxy is a JPEG, GIF, or PNG file. See Crosby '248, Claim 12.
	In addition, Wilkins '583 discloses that the still image proxy is a JPEG, GIF, or PNG file. See Wilkins '583 Chart, Claim 12

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25. An article of manufacture for preparing production data for a print job, the production data including an electronic document defined by a page description language (PDL), the electronic document being stored in a PDL image file, the article of manufacture comprising a computer-readable medium holding computer-executable instructions for performing a method comprising:	See claim 1.
(a) creating a still image proxy of the PDL image file;	
(b) electronically manipulating an image display of the still image proxy and recording information about the manipulations; and	

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(c) using the information about the manipulations to revise the PDL image file so as to match the PDL image file to the manipulations made to the image display of the still image proxy.	
26. The article of manufacture of claim 25 wherein the production data further comprises a predetermined area in which the electronic document must fit, and the computer-executable instructions perform a method further comprising:	See claim 2.
(d) creating a static template that defines the predetermined area and displaying the image display of the still image proxy in association with the template, and	
step (b) further comprising electronically manipulating the image display of the still image proxy in relation to the template and recording information about the manipulations in relation to the template,	
and step (c) further comprising using the information about the manipulations to revise the PDL image file so as to match the PDL image file to the manipulations made to the image display of the still image proxy in relation to the template.	
27. The article of manufacture of claim 26 wherein the computer-executable instructions perform a method further comprising:	See claim 3.
(d) inserting the still image proxy and the template into a browser-compatible application program that allows for electronic manipulation of the image display of the still	

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image proxy with respect to the template within a browser.	
28. The article of manufacture of claim 27 herein [sic] step (a), (c) and (d) occur at a central site, and step (b) occurs at a remote site, the method further comprising:	See claim 4.
(e) using a public or private network to communicate the browser-inserted still image proxy and the template from the central site to the remote site for manipulation at the remote site, and using a public or private network to communicate the information about the manipulations back to the central site for use in step (c).	
29. The article of manufacture of claim 28 wherein the network is a public network, and the public network is the Internet.	See claim 5.
31. The article of manufacture of claim 26 wherein step (a) further comprises dynamically creating the static template to represent the predetermined area that the electronic document must fit in a layout of a physical printed document.	See claim 7.
33. The article of the manufacture of claim 26 wherein the manipulations include a change in scaling percentage.	See claim 9.
34. The article of manufacture of claim 26 wherein the manipulations include alignment changes of the image display of the still image proxy in relation to the template.	See claim 10.
35. The article of manufacture of claim 25 wherein the PDL image file is a Postscript or PDF file.	See claim 11.
36. The article of manufacture of claim 25 wherein the still image	See claim 12.

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### APPENDIX O

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proxy is a JPED [sic], GIF, or PNG file.	

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